

# SB2203



## 99TH GENERAL ASSEMBLY

### State of Illinois

2015 and 2016

SB2203

Introduced 12/4/2015, by Sen. Pamela J. Althoff

#### SYNOPSIS AS INTRODUCED:

510 ILCS 70/2.01i new

510 ILCS 70/2.01j new

510 ILCS 70/3

from Ch. 8, par. 703

Amends the Humane Care for Animals Act. Provides that each owner shall provide for each of his or her animals adequate shelter and adequate space. Defines "adequate shelter" and "adequate space".

LRB099 14567 MGM 38693 b

A BILL FOR

1 AN ACT concerning animals.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The Humane Care for Animals Act is amended by  
5 adding Sections 2.01i and 2.01j and changing Section 3 and as  
6 follows:

7 (510 ILCS 70/2.01i new)

8 Sec. 2.01i. Adequate shelter. "Adequate shelter" means a  
9 shelter that (1) is suitable for the species, age, condition,  
10 size, and type of each animal, (2) provides adequate space for  
11 each animal, (3) is safe and protects each animal from injury,  
12 rain, sleet, snow, hail, direct sunlight, the adverse effects  
13 of heat or cold, physical suffering, and impairment of health,  
14 (4) is properly lighted, (5) is properly cleaned, (6) enables  
15 each animal to be clean and dry, except when detrimental to the  
16 species, and (7) for dogs and cats, provides a solid surface,  
17 resting platform, pad, floor mat, or similar device that is  
18 large enough for the animal to lie on in a normal manner and  
19 can be maintained in a sanitary manner. "Adequate shelter" does  
20 not include a shelter whose wire, grid, or slat floors (1)  
21 allow an animal's feet to pass through the openings, (2) sag  
22 under an animal's weight, or (3) otherwise do not protect an  
23 animal's feet or toes from injury.

1 (510 ILCS 70/2.01j new)

2 Sec. 2.01j. Adequate space. "Adequate space" means  
3 sufficient space to allow each animal to (1) easily stand, sit,  
4 lie, turn about, and make all other normal body movements in a  
5 comfortable and normal position for the animal and (2) interact  
6 safely with other animals in the enclosure.

7 (510 ILCS 70/3) (from Ch. 8, par. 703)

8 Sec. 3. Owner's duties.

9 (a) Each owner shall provide for each of his or her  
10 animals:

11 (1) a sufficient quantity of good quality, wholesome  
12 food and water;

13 (2) adequate shelter, adequate space, and protection  
14 from the weather;

15 (3) veterinary care when needed to prevent suffering;  
16 and

17 (4) humane care and treatment.

18 (b) To lawfully tether a dog outdoors, an owner must ensure  
19 that the dog:

20 (1) does not suffer from a condition that is known, by  
21 that person, to be exacerbated by tethering;

22 (2) is tethered in a manner that will prevent it from  
23 becoming entangled with other tethered dogs;

24 (3) is not tethered with a lead that (i) exceeds

1 one-eighth of the dog's body weight or (ii) is a tow chain  
2 or a log chain;

3 (4) is tethered with a lead that measures, when rounded  
4 to the nearest whole foot, at least 10 feet in length;

5 (5) is tethered with a properly fitting harness or  
6 collar other than the lead or a pinch, prong, or choke-type  
7 collar; and

8 (6) is not tethered in a manner that will allow it to  
9 reach within the property of another person, a public  
10 walkway, or a road.

11 (c) Subsection (b) of this Section shall not be construed  
12 to prohibit:

13 (1) a person from walking a dog with a hand-held leash;

14 (2) conduct that is directly related to the cultivating  
15 of agricultural products, including shepherding or herding  
16 cattle or livestock, if the restraint is reasonably  
17 necessary for the safety of the dog;

18 (3) the tethering of a dog while at an organized and  
19 lawful animal function, such as hunting, obedience  
20 training, performance and conformance events, or law  
21 enforcement training, or while in the pursuit of working or  
22 competing in those endeavors; or

23 (4) a dog restrained in compliance with the  
24 requirements of a camping or recreational area as defined  
25 by a federal, State, or local authority or jurisdiction.

26 (d) A person convicted of violating subsection (a) of this

1 Section is guilty of a Class B misdemeanor. A second or  
2 subsequent violation of subsection (a) of this Section is a  
3 Class 4 felony with every day that a violation continues  
4 constituting a separate offense. In addition to any other  
5 penalty provided by law, upon conviction for violating  
6 subsection (a) of this Section, the court may order the  
7 convicted person to undergo a psychological or psychiatric  
8 evaluation and to undergo any treatment at the convicted  
9 person's expense that the court determines to be appropriate  
10 after due consideration of the evaluation. If the convicted  
11 person is a juvenile or a companion animal hoarder, the court  
12 must order the convicted person to undergo a psychological or  
13 psychiatric evaluation and to undergo treatment that the court  
14 determines to be appropriate after due consideration of the  
15 evaluation.

16 (e) A person convicted of violating subsection (b) of this  
17 Section is guilty of a Class B misdemeanor.

18 (f) As used in this Section, "tether" means to restrain by  
19 tying to an object or structure, including, without limitation,  
20 a house, tree, fence, post, garage, shed, or clothes line at a  
21 person's residence or business, by any means, including,  
22 without limitation, a chain, rope, cord, leash, or running  
23 line.

24 (Source: P.A. 98-101, eff. 1-1-14.)